

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT	KUCHIBHOTLA et al.	GROUP ART UNIT:	2617
APPLN. NO.:	10/680,690	EXAMINER:	VU, Michael T.
FILED:	2003-10-07	Confirmation No.	6201
TITLE:	METHOD FOR SELECTING A WIRELESS COMMUNICATIONS CORE NETWORK		

REMARKS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits that the Examiner's January 3, 2007 Final Office Action and March 22, 2007 Advisory Action omit one or more essential elements needed for a prima facie rejection as well as contain a clear error because one or more limitations are not met by the cited references. Independent claims 1, 10, 17, and 23 stand rejected under 35 U.S.C. § 103(a) over US 2003/0119481 (Haverinen) in view of US 2003/0099219 (Abrol).

The claimed subject matter involves selecting a core network for a communication device. When in network selection mode 201, after a user equipment (UE) receives 220 at least one Public Land Mobile Network identifier (PLMNid), the UE selects 230 a PLMNid. If the selected PLMNid corresponds to a shared network 240 (YES branch), the user equipment forms a registration request message including 243 an indicator which indicates whether a substitute PLMN is allowed. See FIG. 2 and independent claims 1, 17, and 23. When a registration request message is received at a network, the network extracts 405 a PLMNid from the registration request message and

determines 410 whether an indicator is included that indicates whether a substitute public land mobile network is allowed. If an indicator is included, the network determines 430 a substitute PLMN and forwards 440 the registration request message to the substitute PLMN. See FIG. 4 and independent claim 10.

Regarding paragraph 3 of the Advisory Action, Haverinen fails to show or suggest “determining whether the selected public land mobile network identifier corresponds to a shared network” as recited in independent claim 1. Although Haverinen paragraph [0032] indicates that the BAN can be shared by several UMTS networks, nowhere does a Haverinen entity perform the step of “determining whether the selected public land mobile network identifier corresponds to a shared network” and then “including the indicator in the registration message, if the selected public land mobile network identifier corresponds to a shared network.” In other words, according to claim 1, the results of the “determining” step are used to decide when to include the indicator in the registration request message. Haverinen shows no such link between a shared network and an indicator [indicating whether a substitute public land mobile network is allowed], much less a link between either of those to a registration request message. Thus, the March 22, 2007 Advisory Action fails to remedy the fact that the January 3, 2007 Final Office Action omits one or more essential elements needed for a prima facie rejection of independent claims 1 and 17.

Regarding paragraph 4 of the Advisory Action, Haverinen’s various identifiers (PLMNs, associated network element identifiers, and/or associated access technology identifiers) as described in paragraph [0038] have no bearing on whether a substitute PLMN is allowed. All of Haverinen’s identifiers express qualities of a single associated radio access network or core network/PLMN; they do not have anything to do with a substitute PLMN. Applicant has continually and consistently stressed that Haverinen does not show or suggest “an indicator to indicate whether a substitute public land mobile network is allowed.” Haverinen clearly describes sequential single-selections of

PLMNs without use of any indicator of whether a connection to a substitute (or even subsequent) PLMN is allowed. See Haverinen paragraph [0043]. Haverinen presumes that another network selection attempt can always be made and thus there is no need for an indicator. (Transmitting an indicator in a registration request message only makes sense if sometimes a second network is allowed and sometimes a second network is not allowed.) If Haverinen's first network selection is unsuccessful, then the flowchart simply returns to step 203 and the mobile station performs a second network selection. No indicator of whether a second network is allowed is needed, shown, or suggested by Haverinen. Thus, the March 22, 2007 Advisory Action fails to remedy the fact that the January 3, 2007 Final Office Action contains a clear error because one or more limitations are not met by Haverinen.

Regarding paragraph 5 of the Advisory Action, the description of automatic and manual network selection in accordance with 3GPP UMTS specifications, added to Haverinen, does not show or suggest either "an indicator to indicate whether a substitute public land mobile network is allowed" as recited in independent claims 1, 10, 17, and 23. Listing home, roam, and forbidden PLMNs in a mobile station USIM aids in network selection by the mobile station and has no relationship to whether a substitute PLMN is allowed. The presence of forbidden PLMNs in a mobile station USIM does not mean that no second network can be selected (e.g., there may be one home PLMN, five roam PLMNs, and two forbidden PLMNs listed in the USIM, and if the home PLMN selection is unsuccessful there are still up to five roam PLMNs available). Thus, the March 22, 2007 Advisory Action fails to remedy the fact that the January 3, 2007 Final Office Action contains a clear error because one or more limitations are not met by Haverinen.

As the January 3, 2007 Final Office Action admits on page 5, "Haverinen does not clear teaches on including the indicator in the registration request message . . ." This is because Haverinen does not need, show, or suggest "an indicator to indicate whether a

substitute public land mobile network is allowed” and thus would not determine when to include the indicator in a registration request message. Abrol does not overcome the acknowledged deficiencies of Haverinen.

First, Abrol (like Haverinen) does not discuss, suggest, or teach “setting an indicator to indicate whether a substitute public land mobile network is allowed.”

Second, because Abrol only contemplates a non-shared network situation, it (like Haverinen) does not show or suggest “determining whether the selected public land mobile network identifier corresponds to a shared network” as recited in independent claim 1. See FIG. 1 of Abrol which shows each RAN 130, 131 connected to a unique PDSN 140A, 140B.

Finally, even if the registration message of Abrol was taken out of context, and Abrol was combined with Haverinen to hypothetically register a mobile station to a PLMN through a BAN, any combination of Haverinen and Abrol still does not show or suggest “an indicator to indicate whether a substitute public land mobile network is allowed,” “determining whether the selected public land mobile network identifier corresponds to a shared network,” and “including the indicator in the registration request message, if the selected public land mobile network identifier corresponds to a shared network” as recited in independent claim 1. Thus, any combination of Haverinen and Abrol continue to omit one or more essential elements needed for a prima facie rejection of independent claims 1, 17, and 23 or alternately contains a clear error because one or more limitations are not met by Haverinen and Abrol.

Because there is no need, motivation, or teaching in Haverinen and Abrol to create a registration request message including a selected public land mobile network identifier and an indicator indicating whether a substitute public land mobile network is allowed as described in claim 1, then there is no need, motivation, or teaching in Haverinen and Abrol to extract a selected public land mobile network identifier and an indicator from a registration request message as recited in claim 10. Thus, any

combination of Haverinen and Abrol continue to omit one or more essential elements needed for a prima facie rejection of independent claim 10 or alternately contains a clear error because one or more limitations are not met by Haverinen and Abrol.

Conclusion

Reconsideration and withdrawal of the rejection of independent claims 1, 10, 17, and 23 under 35 U.S.C. § 103(a) as being obvious in view of any combination of Haverinen and Abrol is respectfully requested. Because the independent claims are not properly rejected, the rejection of the dependent claims should also be withdrawn.

S U M M A R Y

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicants' representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to **Deposit Account 502117**.

Respectfully submitted,

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